

# House File 2207

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1 4 AN ACT  
1 5 RELATING TO STATUTORY CORRECTIONS WHICH MAY ADJUST LANGUAGE TO  
1 6 REFLECT CURRENT PRACTICES, INSERT EARLIER OMISSIONS, DELETE  
1 7 REDUNDANCIES AND INACCURACIES, DELETE TEMPORARY LANGUAGE,  
1 8 RESOLVE INCONSISTENCIES AND CONFLICTS, UPDATE ONGOING PRO-  
1 9 VISIONS, OR REMOVE AMBIGUITIES, AND INCLUDING EFFECTIVE AND  
1 10 RETROACTIVE APPLICABILITY DATE PROVISIONS.  
1 11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
1 12  
1 13 Section 1. Section 2A.8, Code Supplement 2003, is amended  
1 14 to read as follows:  
1 15 2A.8 SALES ~~== TAX EXEMPTION AUTHORIZED.~~  
1 16 1. The legislative services agency and its legislative  
1 17 information office may sell mementos and other items relating  
1 18 to Iowa history and historic sites, the general assembly, and  
1 19 the state capitol, on the premises of property under the  
1 20 control of the legislative council, at the state capitol, and  
1 21 on other state property.  
1 22 ~~2. The legislative services agency is not a retailer under~~  
1 23 ~~chapter 422 and the sale of items or provision of services by~~  
1 24 ~~the legislative services agency is not a retail sale under~~  
1 25 ~~chapter 422, division IV, and is exempt from the sales tax.~~  
1 26 Sec. 2. Section 3.1, subsection 3, Code Supplement 2003,  
1 27 is amended to read as follows:  
1 28 3. All references to statutes shall be expressed in  
1 29 numerals, ~~and if omitted the Code editor in preparing Acts for~~  
1 30 ~~publication in the session laws shall supply the numerals.~~  
1 31 Sec. 3. Section 8A.221, subsection 3, paragraph b, Code  
1 32 Supplement 2003, is amended to read as follows:  
1 33 b. Members appointed by the governor are subject to  
1 34 confirmation by the senate and shall serve four-year staggered  
1 35 terms as designated by the governor. The advisory council  
2 1 shall annually elect its own chairperson from among the voting  
2 2 members of the ~~board~~ council. Members appointed by the  
2 3 governor are subject to the requirements of sections 69.16,  
2 4 69.16A, and 69.19. Members appointed by the governor shall be  
2 5 reimbursed for actual and necessary expenses incurred in  
2 6 performance of their duties. Such members may also be  
2 7 eligible to receive compensation as provided in section 7E.6.  
2 8 Sec. 4. Section 8A.302, subsection 2, Code Supplement  
2 9 2003, is amended to read as follows:  
2 10 2. Providing for the proper maintenance of the state  
2 11 laboratories facility in Ankeny and of the state capitol,  
2 12 grounds, and equipment, and all other state buildings, and  
2 13 grounds, and equipment at the seat of government, and of the  
2 14 ~~state laboratories facility in Ankeny,~~ except those referred  
2 15 to in section 216B.3, subsection 6.  
2 16 Sec. 5. Section 8A.311, subsection 17, Code Supplement  
2 17 2003, is amended by striking the subsection.  
2 18 Sec. 6. Section 8A.315, subsection 1, paragraph c, Code  
2 19 Supplement 2003, is amended to read as follows:  
2 20 c. A minimum of ~~ten percent of the purchases of garbage~~  
2 21 ~~can liners made by the department shall be plastic garbage can~~  
2 22 ~~liners with recycled content. The percentage shall increase~~  
2 23 ~~by ten percent annually until fifty percent of the purchases~~  
2 24 ~~of garbage can liners are made by the department shall be~~  
2 25 plastic garbage can liners with recycled content.  
2 26 Sec. 7. Section 8A.321, subsection 1, Code Supplement  
2 27 2003, is amended to read as follows:  
2 28 1. Provide for supervision over the custodians and other  
2 29 employees of the department in and about the state  
2 30 laboratories facility in Ankeny and in and about the capitol  
2 31 and other state buildings, and the state laboratories facility  
2 32 ~~in Ankeny at the seat of government,~~ except the buildings and  
2 33 grounds referred to in section 216B.3, subsection 6, ~~at the~~  
2 34 ~~seat of government.~~  
2 35 Sec. 8. Section 8A.322, subsection 1, Code Supplement  
3 1 2003, is amended to read as follows:  
3 2 1. The director shall provide necessary lighting, fuel,  
3 3 and water services for the state laboratories facility in  
3 4 Ankeny and for the state buildings and grounds located at the  
3 5 ~~seat of government, and for the state laboratories facility in~~

3 6 Ankeny, except the buildings and grounds referred to in  
3 7 section 216B.3, subsection 6.  
3 8 Sec. 9. Section 8A.412, subsection 5, Code Supplement  
3 9 2003, is amended to read as follows:

3 10 5. All presidents, deans, directors, teachers,  
3 11 professional and scientific personnel, and student employees  
3 12 under the jurisdiction of the state board of regents. The  
3 13 state board of regents shall adopt rules not inconsistent with  
3 14 the objectives of this ~~chapter~~ subchapter for all of its  
3 15 employees not cited specifically in this subsection. The  
3 16 rules are subject to approval by the director. If at any time  
3 17 the director determines that the state board of regents merit  
3 18 system rules do not comply with the intent of this ~~chapter~~  
3 19 subchapter, the director may direct the board to correct the  
3 20 rules. The rules of the board are not in compliance until the  
3 21 corrections are made.

3 22 Sec. 10. Section 10C.1, subsections 2 and 8, Code  
3 23 Supplement 2003, are amended to read as follows:

3 24 2. "Agricultural commodity" ~~means the same as defined in~~  
3 25 ~~section 190C.1 includes but is not limited to livestock,~~  
3 26 crops, fiber, or food, such as vegetables, nuts, seeds, honey,  
3 27 eggs, or milk existing in an unprocessed state, which is  
3 28 produced on a farm and marketed for human or livestock  
3 29 consumption.

3 30 8. "Life science by-product" means ~~a~~ an agricultural  
3 31 commodity, other than a life science product, if the  
3 32 agricultural commodity derives from the production of a life  
3 33 science product and the agricultural commodity is not intended  
3 34 or used for human consumption.

3 35 Sec. 11. Section 12B.3, Code Supplement 2003, is amended  
4 1 to read as follows:

4 2 12B.3 DISCOUNTING WARRANTS.

4 3 If the treasurer of state or any county treasurer,  
4 4 personally or through another, discounts the director of  
4 5 ~~revenue's the department of administrative services'~~ or  
4 6 auditor's warrants, either directly or indirectly, the  
4 7 treasurer shall be guilty of a serious misdemeanor.

4 8 Sec. 12. Section 15.313, subsection 1, paragraph b,  
4 9 unnumbered paragraph 1, Code Supplement 2003, is amended to  
4 10 read as follows:

4 11 All unencumbered and unobligated funds from the targeted  
4 12 small business financial assistance program, the  
4 13 ~~microenterprise development revolving fund,~~ financing rural  
4 14 economic development or successor loan program, and the value=  
4 15 added agricultural products and processes financial assistance  
4 16 fund remaining on June 30, 1992, and all repayments of loans  
4 17 or other awards or recaptures of awards made under these  
4 18 programs.

4 19 Sec. 13. Section 23A.2, subsection 10, paragraph p, Code  
4 20 Supplement 2003, is amended by striking the paragraph.

4 21 Sec. 14. Section 68A.602, Code Supplement 2003, is amended  
4 22 to read as follows:

4 23 68A.602 FUND CREATED.

4 24 The "Iowa election campaign fund" is created within the  
4 25 office of the treasurer of state. The fund shall consist of  
4 26 funds paid by persons as provided in section 68A.601. The  
4 27 treasurer of state shall maintain within the fund a separate  
4 28 account for each political party as defined in section 43.2.  
4 29 The director of revenue shall remit funds collected as  
4 30 provided in section 68A.601 to the treasurer of state who  
4 31 shall deposit such funds in the appropriate account within the  
4 32 Iowa election campaign fund. All contributions directed to  
4 33 the Iowa election campaign fund by taxpayers who do not  
4 34 designate any one political party to receive their  
4 35 contributions shall be divided by the director of revenue  
5 1 equally among each account currently maintained in the fund.  
5 2 However, at any time when more than two accounts are being  
5 3 maintained within the fund contributions to the fund by  
5 4 taxpayers who do not designate any one political party to  
5 5 receive their contributions shall be divided among the  
5 6 accounts in the same proportion as the number of registered  
5 7 voters declaring affiliation with each political party for  
5 8 which an account is maintained bears to the total number of  
5 9 registered voters who have declared an affiliation with a  
5 10 political party. Any interest income received by the  
5 11 treasurer of state from investment of moneys deposited in the  
5 12 fund shall be deposited in the Iowa election campaign fund.  
5 13 Such funds shall be subject to payment to the chairperson of  
5 14 the specified political party as authorized by the director of  
5 15 revenue on warrants issued by the director of revenue the  
5 16 department of administrative services in the manner provided

5 17 by section 68A.605.

5 18 Sec. 15. Section 97A.8, subsection 1, paragraph i,  
5 19 subparagraph (1), Code Supplement 2003, is amended to read as  
5 20 follows:

5 21 (1) Notwithstanding paragraph "g" or other provisions of  
5 22 this chapter, beginning January 1, 1995, for federal income  
5 23 tax purposes, and beginning January 1, 1999, for state income  
5 24 tax purposes, member contributions required under paragraph  
5 25 "f" or "h" which are picked up by the department shall be  
5 26 considered employer contributions for federal and state income  
5 27 tax purposes, and the department shall pick up the member  
5 28 contributions to be made under paragraph "f" or "h" by its  
5 29 employees. The department shall pick up these contributions  
5 30 by reducing the salary of each of its employees covered by  
5 31 this chapter by the amount which each employee is required to  
5 32 contribute under paragraph "f" or "h" and shall certify the  
5 33 amount picked up in lieu of the member contributions to the  
5 34 department of ~~revenue administrative services~~. The department  
5 35 of ~~revenue administrative services~~ shall forward the amount of  
6 1 the contributions picked up to the board of trustees for  
6 2 recording and deposit in the pension accumulation fund.

6 3 Sec. 16. Section 97B.50, subsection 2, paragraph c, Code  
6 4 Supplement 2003, is amended to read as follows:

6 5 c. A vested member who terminated service due to a  
6 6 disability, who has been issued payment for a refund pursuant  
6 7 to section 97B.53, and who subsequently commences receiving  
6 8 disability benefits as a result of that disability pursuant to  
6 9 the federal Social Security Act, 42 U.S.C. } 423 et seq. or  
6 10 the federal Railroad Retirement Act, 45 U.S.C. } 231 et seq.,  
6 11 may receive credit for membership service for the period  
6 12 covered by the refund payment, upon repayment to the system of  
6 13 the actuarial cost of receiving service credit for the period  
6 14 covered by the refund payment, as determined by the system.  
6 15 For purposes of this paragraph, the actuarial cost of the  
6 16 service purchase shall be determined as provided in section  
6 17 97B.74. The payment to the system as provided in this  
6 18 paragraph shall be made within ninety days after July 1, 2000,  
6 19 or the date federal disability payments commenced, whichever  
6 20 occurs later. For purposes of this paragraph, the date  
6 21 federal disability payments commence shall be the date that  
6 22 the member actually receives the first such payment,  
6 23 regardless of any retroactive payments included in that  
6 24 payment. A member who repurchases service credit under this  
6 25 paragraph and applies for retirement benefits shall have the  
6 26 member's monthly allowance, including retroactive adjustment  
6 27 payments, determined in the same manner as provided in  
6 28 paragraph "a" or "b", as applicable. ~~This paragraph shall not  
6 29 be implemented until the system has received a determination  
6 30 letter from the federal internal revenue service approving the  
6 31 system's plan's qualified status under Internal Revenue Code  
6 32 section 401(a).~~

6 33 Sec. 17. Section 97B.50A, subsection 10, paragraph a,  
6 34 subparagraphs (1) and (2), Code Supplement 2003, are amended  
6 35 to read as follows:

7 1 (1) The system shall be indemnified out of the recovery of  
7 2 damages to the extent of benefit payments made by the  
7 3 retirement system, with legal interest, except that the  
7 4 plaintiff member's attorney fees may be first allowed by the  
7 5 district court.

7 6 (2) The system has a lien on the damage claim against the  
7 7 third party and on any judgment on the damage claim for  
7 8 benefits for which the retirement system is liable. In order  
7 9 to continue and preserve the lien, the system shall file a  
7 10 notice of the lien within thirty days after receiving a copy  
7 11 of the original notice in the office of the clerk of the  
7 12 district court in which the action is filed.

7 13 Sec. 18. Section 97B.50A, subsection 10, paragraph b,  
7 14 subparagraphs (1) and (2), Code Supplement 2003, are amended  
7 15 to read as follows:

7 16 (1) A sum sufficient to repay the system for the amount of  
7 17 such benefits actually paid by the retirement system up to the  
7 18 time of the entering of the judgment.

7 19 (2) A sum sufficient to pay the system the present worth,  
7 20 computed at the interest rate provided in section 535.3 for  
7 21 court judgments and decrees, of the future payments of such  
7 22 benefits for which the retirement system is liable, but the  
7 23 sum is not a final adjudication of the future payment which  
7 24 the member is entitled to receive.

7 25 Sec. 19. Section 99G.8, subsection 11, Code Supplement  
7 26 2003, is amended to read as follows:

7 27 11. The board shall meet at least quarterly and at such

7 28 other times upon call of the chairperson or the ~~president~~  
7 29 chief executive officer. Notice of the time and place of each  
7 30 board meeting shall be given to each member. The board shall  
7 31 also meet upon call of three or more of the board members.  
7 32 The board shall keep accurate and complete records of all its  
7 33 meetings.

7 34 Sec. 20. Section 99G.31, subsection 1, Code Supplement  
7 35 2003, is amended to read as follows:

8 1 1. The chief executive officer shall award the designated  
8 2 prize to the holder of the ticket or ~~shareholder share~~ upon  
8 3 presentation of the winning ticket or confirmation of a  
8 4 winning share. The prize shall be given to only one person as  
8 5 provided in this section; however, a prize shall be divided  
8 6 between holders of winning tickets if there is more than one  
8 7 winning ticket.

8 8 Sec. 21. Section 99G.34, subsection 8, Code Supplement  
8 9 2003, is amended to read as follows:

8 10 8. Information that is otherwise confidential obtained  
8 11 pursuant to investigations as provided in section 99G.35.

8 12 Sec. 22. Section 147.107, subsection 7, Code Supplement  
8 13 2003, is amended by striking the subsection.

8 14 Sec. 23. Section 148C.1, subsection 4, Code Supplement  
8 15 2003, is amended to read as follows:

8 16 4. "Licensed physician assistant" means a person who is  
8 17 licensed by the board to practice as a physician assistant  
8 18 under the supervision of one or more physicians ~~specified in~~  
8 19 ~~the license~~. "Supervision" does not require the personal  
8 20 presence of the supervising physician at the place where  
8 21 medical services are rendered except insofar as the personal  
8 22 presence is expressly required by this chapter or required by  
8 23 rules of the board adopted pursuant to this chapter.

8 24 Sec. 24. Section 148C.3, subsection 2, Code Supplement  
8 25 2003, is amended to read as follows:

8 26 2. Rules shall be adopted by the board pursuant to this  
8 27 chapter requiring a licensed physician assistant to be  
8 28 supervised by physicians. The rules shall provide that not  
8 29 more than two physician assistants shall be supervised by a  
8 30 physician at one time. The rules shall also provide that a  
8 31 physician assistant shall notify the board of the identity of  
8 32 ~~their~~ the physician assistant's supervising physician, and of  
8 33 any change in the status of the supervisory relationship.

8 34 Sec. 25. Section 159.34, subsection 1, Code Supplement  
8 35 2003, is amended to read as follows:

9 1 1. A contract executed under this subchapter may require  
9 2 that a depository provide for the receipt, acceptance, and  
9 3 storage of filing documents that are sent in an electronic  
9 4 format to the depository by persons who would otherwise be  
9 5 required to submit filing documents to the department under  
9 6 other provisions of this title. The contract shall be  
9 7 governed under the same provisions as provided in section  
9 8 ~~14B.202~~ 8A.106.

9 9 Sec. 26. Section 161C.7, subsection 1, Code Supplement  
9 10 2003, is amended by striking the subsection.

9 11 Sec. 27. Section 163.30, subsection 2, paragraph a, Code  
9 12 Supplement 2003, is amended to read as follows:

9 13 a. "Dealer" means any person who is engaged in the  
9 14 business of buying for resale, or selling, or exchanging swine  
9 15 as a principal or agent or who claims to be so engaged, but  
9 16 does not include the owner or operator of a farm who does not  
9 17 claim to be so engaged, and who sells or exchanges only those  
9 18 swine which have been kept by the person solely for feeding or  
9 19 breeding purposes.

9 20 Sec. 28. Section 232.95, subsection 2, Code 2003, is  
9 21 amended by adding the following new paragraphs:

9 22 NEW PARAGRAPH. b. Release the child to the child's  
9 23 parent, guardian, or custodian pending a final order of  
9 24 disposition.

9 25 NEW PARAGRAPH. c. Authorize a physician or hospital to  
9 26 provide medical or surgical procedures if such procedures are  
9 27 necessary to safeguard the child's life or health.

9 28 Sec. 29. Section 232B.10, subsection 1, Code Supplement  
9 29 2003, is amended to read as follows:

9 30 1. For the purposes of this ~~section~~ chapter, unless the  
9 31 context otherwise requires, a "qualified expert witness" may  
9 32 include, but is not limited to, a social worker, sociologist,  
9 33 physician, psychologist, traditional tribal therapist and  
9 34 healer, spiritual leader, historian, or elder.

9 35 Sec. 30. Section 257.26, Code Supplement 2003, is amended  
10 1 to read as follows:

10 2 257.26 INSTRUCTIONAL SUPPORT INCOME SURTAX DISTRIBUTION.  
10 3 The director of ~~revenue~~ the department of administrative

10 4 services shall draw warrants in payment of the amount of  
10 5 instructional support surtax in the manner provided in section  
10 6 298.14.

10 7 Sec. 31. Section 260G.4B, subsection 1, Code Supplement  
10 8 2003, is amended to read as follows:

10 9 1. The total amount of program job credits from all  
10 10 employers which shall be allocated for all accelerated career  
10 11 education programs in the state in any one fiscal year shall  
10 12 not exceed the sum of three million dollars in the fiscal year  
10 13 beginning July 1, 2000, three million dollars in the fiscal  
10 14 year beginning July 1, 2001, three million dollars in the  
10 15 fiscal year beginning July 1, 2002, four million dollars in  
10 16 the fiscal year beginning July 1, 2003, and six million  
10 17 dollars in the fiscal year beginning July 1, 2004, and every  
10 18 fiscal year thereafter. Any increase in program job credits  
10 19 above the six-million-dollar limitation per fiscal year shall  
10 20 be developed, based on recommendations in a study ~~which shall~~  
~~10 21 be conducted by the department of economic development,~~

~~10 22 pursuant to this section, Code Supplement 2003, of the needs~~  
~~10 23 and performance of approved programs in the fiscal years~~  
~~10 24 beginning July 1, 2000, and July 1, 2001. The study's~~  
~~10 25 findings and recommendations shall be submitted to the general~~  
~~10 26 assembly by the department by December 31, 2002. The study~~  
~~10 27 shall include but not be limited to an examination of the~~  
~~10 28 quality of the programs, the number of program participant~~  
~~10 29 placements, the wages and benefits in program jobs, the level~~  
~~10 30 of employer contributions, the size of participating~~

~~10 31 employers, and employer locations. A community college shall~~  
~~10 32 file a copy of each agreement with the department of economic~~  
~~10 33 development. The department shall maintain an annual record~~  
~~10 34 of the proposed program job credits under each agreement for~~  
~~10 35 each fiscal year. Upon receiving a copy of an agreement, the~~  
11 1 department shall allocate any available amount of program job  
11 2 credits to the community college according to the agreement  
11 3 sufficient for the fiscal year and for the term of the  
11 4 agreement. When the total available program job credits are  
11 5 allocated for a fiscal year, the department shall notify all  
11 6 community colleges that the maximum amount has been allocated  
11 7 and that further program job credits will not be available for  
11 8 the remainder of the fiscal year. Once program job credits  
11 9 have been allocated to a community college, the full  
11 10 allocation shall be received by the community college  
11 11 throughout the fiscal year and for the term of the agreement  
11 12 even if the statewide program job credit maximum amount is  
11 13 subsequently allocated and used.

11 14 Sec. 32. Section 282.33, subsection 1, Code Supplement  
11 15 2003, is amended to read as follows:

11 16 1. A child who resides in an institution for children  
11 17 under the jurisdiction of the director of human services  
11 18 referred to in section 218.1, subsection 3, 5, 7, or 8, and  
11 19 who is not enrolled in the educational program of the district  
11 20 of residence of the child, shall receive appropriate  
11 21 educational services. The institution in which the child  
11 22 resides shall submit a proposed program and budget based on  
11 23 the average daily attendance of the children residing in the  
11 24 institution to the department of education and the department  
11 25 of human services by January 1 for the next succeeding school  
11 26 year. The department of education shall review and approve or  
11 27 modify the proposed program and budget and shall notify the  
11 28 department of revenue administrative services of its action by  
11 29 February 1. The department of revenue administrative services  
11 30 shall pay the approved budget amount to the department of  
11 31 human services in monthly installments beginning September 15  
11 32 and ending June 15 of the next succeeding school year. The  
11 33 installments shall be as nearly equal as possible as  
11 34 determined by the department of revenue administrative

~~11 35 services~~, taking into consideration the relative budget and  
12 1 cash position of the state's resources. The department of  
12 2 revenue administrative services shall pay the approved budget  
12 3 amount for the department of human services from the moneys  
12 4 appropriated under section 257.16 and the department of human  
12 5 services shall distribute the payment to the institution. The  
12 6 institution shall submit an accounting for the actual cost of  
12 7 the program to the department of education by August 1 of the  
12 8 following school year. The department shall review and  
12 9 approve or modify all expenditures incurred in compliance with  
12 10 the guidelines adopted pursuant to section 256.7, subsection  
12 11 10, and shall notify the department of revenue administrative  
~~12 12 services~~ of the approved accounting amount. The approved  
12 13 accounting amount shall be compared with any amounts paid by  
12 14 the department of revenue administrative services to the

12 15 department of human services and any differences added to or  
12 16 subtracted from the October payment made under this subsection  
12 17 for the next school year. Any amount paid by the department  
12 18 of ~~revenue administrative services~~ shall be deducted monthly  
12 19 from the state foundation aid paid under section 257.16 to all  
12 20 school districts in the state during the subsequent fiscal  
12 21 year. The portion of the total amount of the approved budget  
12 22 that shall be deducted from the state aid of a school district  
12 23 shall be the same as the ratio that the budget enrollment for  
12 24 the budget year of the school district bears to the total  
12 25 budget enrollment in the state for that budget year in which  
12 26 the deduction is made.

12 27 Sec. 33. Section 301.1, subsection 2, Code Supplement  
12 28 2003, is amended to read as follows:

12 29 2. Textbooks adopted and purchased by a school district  
12 30 shall, to the extent funds are appropriated by the general  
12 31 assembly, be made available to pupils attending accredited  
12 32 nonpublic schools upon request of the pupil or the pupil's  
12 33 parent under comparable terms as made available to pupils  
12 34 attending public schools. If the general assembly  
12 35 appropriates moneys for purposes of making textbooks available  
13 1 to accredited nonpublic school pupils, the department of  
13 2 education shall ascertain the amount available to a school  
13 3 district for the purchase of nonsectarian, nonreligious  
13 4 textbooks for pupils attending accredited nonpublic schools.  
13 5 The amount shall be in the proportion that the basic  
13 6 enrollment of a participating accredited nonpublic school  
13 7 bears to the sum of the basic enrollments of all participating  
13 8 accredited nonpublic schools in the state for the budget year.  
13 9 For purposes of this section, a "participating accredited  
13 10 nonpublic school" means an accredited nonpublic school that  
13 11 submits a written request on behalf of the school's pupils in  
13 12 accordance with this subsection, and that certifies its actual  
13 13 enrollment to the department of education by October 1,  
13 14 annually. By October 15, annually, the department of  
13 15 education shall certify to the director of ~~revenue the~~  
~~13 16 department of administrative services~~ the annual amount to be  
13 17 paid to each school district, and the director of ~~revenue the~~  
~~13 18 department of administrative services~~ shall draw warrants  
13 19 payable to school districts in accordance with this  
13 20 subsection. For purposes of this subsection, an accredited  
13 21 nonpublic school's enrollment count shall include only  
13 22 students who are residents of Iowa. The costs of providing  
13 23 textbooks to accredited nonpublic school pupils as provided in  
13 24 this subsection shall not be included in the computation of  
13 25 district cost under chapter 257, but shall be shown in the  
13 26 budget as an expense from miscellaneous income. Textbook  
13 27 expenditures made in accordance with this subsection shall be  
13 28 kept on file in the school district.

13 29 Sec. 34. Section 304A.29, Code Supplement 2003, is amended  
13 30 to read as follows:

13 31 304A.29 CLAIMS.

13 32 1. Claims for losses covered by indemnity agreements under  
13 33 this division shall be submitted to the department of  
13 34 administrative services which shall review the claims. If the  
13 35 department determines that the loss is covered by the  
14 1 agreement, the department shall certify the validity of the  
14 2 claim, ~~and~~ authorize payment of the amount of loss, less any  
14 3 deductible portion, to the lender, ~~and issue a warrant for~~  
~~14 4 payment of the claim from the state general fund out of any~~  
~~14 5 funds not otherwise appropriated.~~

14 6 2. The department shall prescribe rules providing for  
14 7 prompt adjustment of valid claims. The rules shall include  
14 8 provisions for the employment of consultants and for the  
14 9 arbitration of issues relating to the dollar value of damages  
14 10 involving less than total loss or destruction of covered  
14 11 items.

~~14 12 3. The authorization for payment shall be forwarded to the~~  
~~14 13 director of the department of administrative services, who~~  
~~14 14 shall issue a warrant for payment of the claim from the state~~  
~~14 15 general fund out of any funds not otherwise appropriated.~~

14 16 Sec. 35. Section 321.91, subsection 2, Code 2003, is  
14 17 amended to read as follows:

14 18 2. A person ~~convicted of a violation of this section who~~  
~~14 19 abandons a vehicle~~ is guilty of a simple misdemeanor  
14 20 punishable as a scheduled violation under section 805.8A,  
14 21 subsection 14, paragraph "b".

14 22 Sec. 36. Section 321.210B, Code Supplement 2003, is  
14 23 amended to read as follows:

14 24 321.210B NONRENEWAL OR SUSPENSION FOR FAILURE TO PAY  
14 25 INDEBTEDNESS OWED TO THE STATE.

14 26 The department shall suspend or refuse to renew the  
14 27 driver's license of a person who has a delinquent account owed  
14 28 to the state according to records provided by the department  
14 29 of revenue pursuant to section 421.17. A license shall be  
14 30 suspended or shall not be renewed until such time as the  
14 31 department of ~~administrative services~~ revenue notifies the  
14 32 state department of transportation that the licensee has made  
14 33 arrangements for payment of the debt with the agency which is  
14 34 owed or is collecting the debt. This section is only  
14 35 applicable to those persons residing in a county which is  
15 1 participating in the driver's license indebtedness clearance  
15 2 pilot project.

15 3 Sec. 37. Section 331.304, subsection 10, Code 2003, is  
15 4 amended to read as follows:

15 5 10. A county shall not adopt or enforce any ordinance  
15 6 imposing any registration or licensing system or registration  
15 7 or license fees for owner-occupied manufactured or mobile  
15 8 homes including the lots or lands upon which they are located.  
15 9 A county shall not adopt or enforce any ordinance imposing any  
15 10 registration or licensing system, or registration or license  
15 11 fees, or safety or sanitary standards for rental manufactured  
15 12 or mobile homes unless similar registration or licensing  
15 13 system, or registration or license fees, or safety or sanitary  
15 14 standards are required for other rental properties intended  
15 15 for human habitation. This subsection does not preclude the  
15 16 investigation and abatement of a nuisance or the enforcement  
15 17 of a tiedown system, or the enforcement of any regulations of  
15 18 the state or local board of health if those regulations apply  
15 19 to other rental properties or to owner-occupied housing  
15 20 intended for human habitation.

15 21 Sec. 38. Section 331.559, subsection 1, Code Supplement  
15 22 2003, is amended to read as follows:

15 23 1. Determine and collect taxes on mobile homes and  
15 24 manufactured homes as provided in sections 435.22 to 435.26.

15 25 Sec. 39. Section 331.602, subsection 29, Code Supplement  
15 26 2003, is amended to read as follows:

15 27 29. Register Record the name and description of a farm as  
15 28 provided in sections 557.22 to 557.26.

15 29 Sec. 40. Section 331.756, subsection 63, Code Supplement  
15 30 2003, is amended to read as follows:

15 31 63. Present to the grand jury at its next session a copy  
15 32 of the report filed by the ~~division~~ department of corrections  
15 33 ~~of the department of human services~~ of its inspection of the  
15 34 jails in the county as provided in section 356.43.

15 35 Sec. 41. Section 356.7, subsection 1, Code Supplement  
16 1 2003, is amended to read as follows:

16 2 1. The county sheriff, or a municipality operating a  
16 3 temporary municipal holding facility or jail, may charge a  
16 4 prisoner who is eighteen years of age or older and who has  
16 5 been convicted of a criminal offense or sentenced for contempt  
16 6 of court for violation of a domestic abuse order for the  
16 7 actual administrative costs relating to the arrest and booking  
16 8 of that prisoner, and for room and board provided to the  
16 9 prisoner while in the custody of the county sheriff or  
16 10 municipality. Moneys collected by the sheriff or municipality  
16 11 under this section shall be credited respectively to the  
16 12 county general fund or the city general fund and distributed  
16 13 as provided in this section. If a prisoner who has been  
16 14 convicted of a criminal offense or sentenced for contempt of  
16 15 court for violation of a domestic abuse order fails to pay for  
16 16 the administrative costs and the room and board, the sheriff  
16 17 or municipality may file a ~~room and board~~ reimbursement claim  
16 18 with the district court as provided in subsection 2. The  
16 19 county attorney may file the reimbursement claim on behalf of  
16 20 the sheriff and the county or the municipality. The attorney  
16 21 for the municipality may also file a reimbursement claim on  
16 22 behalf of the municipality. This section does not apply to  
16 23 prisoners who are paying for their room and board by court  
16 24 order pursuant to sections 356.26 through 356.35.

16 25 Sec. 42. Section 368.4, Code Supplement 2003, is amended  
16 26 to read as follows:

16 27 368.4 ANNEXING MORATORIUM.

16 28 A city, following notice and hearing, may by resolution  
16 29 agree with another city or cities to refrain from annexing  
16 30 specifically described territory for a period not to exceed  
16 31 ten years and, following notice and hearing, may by resolution  
16 32 extend the agreement for subsequent periods not to exceed ten  
16 33 years each. Notice of a hearing shall be served by regular  
16 34 mail at least thirty days before the hearing on the city  
16 35 development board and on the board of supervisors of the  
17 1 county in which the territory is located and shall be

17 2 published in an official county newspaper in each county  
17 3 containing a city conducting a hearing regarding the  
17 4 agreement, in an official county newspaper in any county  
17 5 within two miles of any such city, and in an official  
17 6 newspaper of each city conducting a hearing regarding the  
17 7 agreement. The notice shall include the time and place of the  
17 8 hearing, describe the territory subject to the proposed  
17 9 agreement, and the general terms of the agreement. After  
17 10 passage of a resolution by the cities approving the  
17 11 agreements, a copy of the agreement and a copy of any  
17 12 resolution extending an agreement shall be filed with the city  
17 13 development board within ten days of enactment. If such an  
17 14 agreement is in force, the board shall dismiss a petition or  
17 15 plan which violates the terms of the agreement.

17 16 Sec. 43. Section 368.26, unnumbered paragraph 3, Code  
17 17 Supplement 2003, is amended to read as follows:

17 18 For the purposes of this section, "protected farmland"  
17 19 means land that is part of a century farm as that term is  
17 20 defined in section 403.17, subsection 10. "County For the  
17 21 purposes of this section, "county legislation" means any

17 22 ordinance, motion, resolution, or amendment adopted by a  
17 23 county pursuant to section 331.302.

17 24 Sec. 44. Section 372.4, subsection 3, Code Supplement  
17 25 2003, is amended to read as follows:

17 26 3. In a city having a population of ~~between~~ five hundred  
17 27 ~~and or more, but not more than~~ five thousand, the city council  
17 28 may, or shall upon petition of the electorate meeting the  
17 29 numerical requirements of section 372.2, subsection 1, submit  
17 30 a proposal at the next regular or special city election to  
17 31 reduce the number of council members to three. If a majority  
17 32 of the voters voting on the proposal approves it, the proposal  
17 33 is adopted. If the proposal is adopted, the new council shall  
17 34 be elected at the next regular or special city election. The  
17 35 council shall determine by ordinance whether the three council  
18 1 members are elected at large or by ward.

18 2 Sec. 45. Section 422.12D, subsection 4, Code Supplement  
18 3 2003, is amended to read as follows:

18 4 4. The department shall adopt rules to implement this  
18 5 section. However, before a checkoff pursuant to this section  
18 6 shall be permitted, all liabilities on the books of the  
18 7 department of ~~revenue~~ administrative services and accounts  
18 8 identified as owing under section ~~421.17 8A.504~~ and the  
18 9 political contribution allowed under section 68A.601 shall be  
18 10 satisfied.

18 11 Sec. 46. Section 422.16, subsection 9, Code Supplement  
18 12 2003, is amended to read as follows:

18 13 9. The amount of any overpayment of the individual income  
18 14 tax liability of the employee taxpayer, nonresident, or other  
18 15 person which may result from the withholding and payment of  
18 16 withheld tax by the employer or withholding agent to the  
18 17 department under subsections 1 and 12, as compared to the  
18 18 individual income tax liability of the employee taxpayer,  
18 19 nonresident, or other person properly and correctly determined  
18 20 under the provisions of section 422.4, to and including  
18 21 section 422.25, may be credited against any income tax or  
18 22 installment thereof then due the state of Iowa and any balance  
18 23 of one dollar or more shall be refunded to the employee  
18 24 taxpayer, nonresident or other person with interest at the  
18 25 rate in effect under section 421.7 for each month or fraction  
18 26 of a month, the interest to begin to accrue on the first day  
18 27 of the second calendar month following the date the return was  
18 28 due to be filed or was filed, whichever is the later date.  
18 29 Amounts less than one dollar shall be refunded to the  
18 30 taxpayer, nonresident, or other person only upon written  
18 31 application, in accordance with section 422.73, and only if  
18 32 the application is filed within twelve months after the due  
18 33 date of the return. Refunds in the amount of one dollar or  
18 34 more provided for by this subsection shall be paid by the  
18 35 treasurer of state by warrants drawn by the director of  
19 1 ~~revenue~~ the department of administrative services, or an  
19 2 authorized employee of the department, and the taxpayer's  
19 3 return of income shall constitute a claim for refund for this  
19 4 purpose, except in respect to amounts of less than one dollar.  
19 5 There is appropriated, out of any funds in the state treasury  
19 6 not otherwise appropriated, a sum sufficient to carry out the  
19 7 provisions of this subsection.

19 8 Sec. 47. Section 422.35, subsection 18, Code Supplement  
19 9 2003, is amended to read as follows:

19 10 18. Add, to the extent not already included, income from  
19 11 the sale of obligations of the state and its political  
19 12 ~~divisions~~ subdivisions. Income from the sale of these

19 13 obligations is exempt from the taxes imposed by this division  
19 14 only if the law authorizing these obligations specifically  
19 15 exempts the income from the sale from the state corporate  
19 16 income tax.

19 17 Sec. 48. Section 422.70, subsection 3, Code 2003, is  
19 18 amended to read as follows:

19 19 3. The fees and mileage to be paid witnesses and charged  
19 20 as costs shall be the same as prescribed by law in proceedings  
19 21 in the district court of this state in civil cases. All costs  
19 22 shall be charged in the manner provided by law in proceedings  
19 23 in civil cases. If the costs are charged to the taxpayer they  
19 24 shall be added to the taxes assessed against the taxpayer and  
19 25 shall be collected in the same manner. Costs charged to the  
19 26 state shall be certified by the director ~~who and the~~  
19 27 department of administrative services shall issue warrants on  
19 28 the state treasurer for the amount of the costs, to be paid  
19 29 out of the proceeds of the taxes collected under this chapter.

19 30 Sec. 49. Section 425.23, subsection 3, paragraph a, Code  
19 31 Supplement 2003, is amended to read as follows:

19 32 a. A person who is eligible to file a claim for credit for  
19 33 property taxes due and who has a household income of eight  
19 34 thousand five hundred dollars or less and who has an unpaid  
19 35 special assessment levied against the homestead may file a  
20 1 claim for a special assessment credit with the county  
20 2 treasurer. The department shall provide to the respective  
20 3 treasurers the forms necessary for the administration of this  
20 4 subsection. The claim shall be filed not later than September  
20 5 30 of each year. Upon the filing of the claim, interest for  
20 6 late payment shall not accrue against the amount of the unpaid  
20 7 special assessment due and payable. The claim filed by the  
20 8 claimant constitutes a claim for credit of an amount equal to  
20 9 the actual amount due upon the unpaid special assessment, plus  
20 10 interest, payable during the fiscal year for which the claim  
20 11 is filed against the homestead of the claimant. However,  
20 12 where the claimant is an individual described in section  
20 13 425.17, subsection 2, paragraph "b", and the tentative credit  
20 14 is determined according to the schedule in subsection 1,  
20 15 paragraph "b", subparagraph (2), of this section, the claim  
20 16 filed constitutes a claim for credit of an amount equal to  
20 17 one-half of the actual amount due and payable during the  
20 18 fiscal year. The treasurer shall certify to the director of  
20 19 revenue not later than October 15 of each year the total  
20 20 amount of dollars due for claims allowed. The amount of  
20 21 reimbursement due each county shall be certified by the  
20 22 director of revenue and paid by the director of revenue the  
20 23 department of administrative services by November 15 of each  
20 24 year, drawn upon warrants payable to the respective treasurer.  
20 25 There is appropriated annually from the general fund of the  
20 26 state to the department of revenue an amount sufficient to  
20 27 carry out the provisions of this subsection. The treasurer  
20 28 shall credit any moneys received from the department against  
20 29 the amount of the unpaid special assessment due and payable on  
20 30 the homestead of the claimant.

20 31 Sec. 50. Section 425A.6, Code Supplement 2003, is amended  
20 32 to read as follows:

20 33 425A.6 WARRANTS ~~DRAWN~~ AUTHORIZED BY DIRECTOR == PRORATION.

20 34 After receiving from the county auditors the certifications  
20 35 provided for in section 425A.5, and during the following  
21 1 fiscal year, the director of revenue shall authorize the  
21 2 department of administrative services to draw warrants on the  
21 3 family farm tax credit fund created in section 425A.1, payable  
21 4 to the county treasurers in the amount certified by the county  
21 5 auditors of the respective counties and mail the warrants to  
21 6 the county auditors on June 1 of each year taking into  
21 7 consideration the relative budget and cash position of the  
21 8 state resources. However, if the family farm tax credit fund  
21 9 is insufficient to pay in full the total of the amounts  
21 10 certified to the director of revenue, the director shall  
21 11 prorate the fund to the county treasurers and shall notify the  
21 12 county auditors of the pro rata percentage on or before June  
21 13 1.

21 14 Sec. 51. Section 425A.7, Code Supplement 2003, is amended  
21 15 to read as follows:

21 16 425A.7 APPORTIONMENT BY AUDITOR.

21 17 Upon receiving the pro rata percentage from the director of  
21 18 revenue, the county auditor shall determine the amount to be  
21 19 credited to each tract of agricultural land, and shall enter  
21 20 upon tax lists as a credit against the tax levied on each  
21 21 tract of agricultural land on which there has been made an  
21 22 allowance of credit before delivering the tax lists to the  
21 23 county treasurer. Upon receipt of the ~~director's~~ warrant by

21 24 the county auditor, the auditor shall deliver the warrant to  
21 25 the county treasurer for apportionment. The county treasurer  
21 26 shall show on each tax receipt the amount of tax credit for  
21 27 each tract of agricultural land. In case of change of  
21 28 ownership the credit shall follow the title.

21 29 Sec. 52. Section 426.7, Code Supplement 2003, is amended  
21 30 to read as follows:

21 31 426.7 WARRANTS ~~DRAWN~~ AUTHORIZED BY DIRECTOR.

21 32 After receiving from the county auditors the certifications  
21 33 provided for in section 426.6, and during the following fiscal  
21 34 year, the director of revenue shall authorize the department  
21 35 of administrative services to draw warrants on the

22 1 agricultural land credit fund created in section 426.1,  
22 2 payable to the county treasurers in the amount certified by  
22 3 the county auditors of the respective counties and mail the  
22 4 warrants to the county auditors on July 15 of each year taking  
22 5 into consideration the relative budget and cash position of  
22 6 the state resources. However, if the agricultural land credit  
22 7 fund is insufficient to pay in full the total of the amounts  
22 8 certified to the director of revenue, the director shall  
22 9 prorate the fund to the county treasurers and notify the  
22 10 county auditors of the pro rata percentage on or before June  
22 11 15.

22 12 Sec. 53. Section 426.8, Code Supplement 2003, is amended  
22 13 to read as follows:

22 14 426.8 APPORTIONMENT BY AUDITOR.

22 15 Upon receiving the pro rata percentage from the director of  
22 16 revenue, the county auditor shall determine the amount to be  
22 17 credited to each tract of agricultural land, and shall enter  
22 18 upon tax lists as a credit against the tax levied on each  
22 19 tract of agricultural land on which there has been made an  
22 20 allowance of credit before delivering said tax lists to the  
22 21 county treasurer. Upon receipt of the ~~director's~~ warrant by  
22 22 the county auditor, the auditor shall deliver said warrant to  
22 23 the county treasurer for apportionment. The county treasurer  
22 24 shall show on each tax receipt the amount of tax credit for  
22 25 each tract of agricultural land. In case of change of  
22 26 ownership the credit shall follow the title.

22 27 Sec. 54. Section 426A.4, Code Supplement 2003, is amended  
22 28 to read as follows:

22 29 426A.4 CERTIFICATION BY DIRECTOR OF REVENUE.

22 30 Sums distributable from the general fund of the state shall  
22 31 be allocated annually to the counties of the state. On  
22 32 September 15 annually the director of revenue shall certify  
22 33 and the department of administrative services shall draw  
22 34 warrants to the treasurer of each county payable from the  
22 35 general fund of the state in the amount claimed. Payments  
23 1 shall be made to the treasurer of each county not later than  
23 2 September 30 of each year.

23 3 Sec. 55. Section 434.22, Code Supplement 2003, is amended  
23 4 to read as follows:

23 5 434.22 LEVY AND COLLECTION OF TAX.

23 6 At the first meeting of the board of supervisors held after  
23 7 said statement is received by the county auditor, ~~it the board~~  
23 8 shall cause the same to be entered on its minute book, and  
23 9 make and enter ~~therein in the minute book~~ an order stating the  
23 10 length of the main track and the assessed value of each  
23 11 railway lying in each city, township, or lesser taxing  
23 12 district in its county, through or into which ~~said the~~ railway  
23 13 extends, as fixed by the director of revenue, which shall  
23 14 constitute the taxable value of ~~said the~~ property for taxing  
23 15 purposes; and the taxes on ~~said the~~ property, when collected  
23 16 by the county treasurer, shall be disposed of as other taxes.  
23 17 The county auditor shall transmit a copy of ~~said the~~ order to  
23 18 the council or trustees of the city or township.

23 19 Sec. 56. Section 437.10, Code Supplement 2003, is amended  
23 20 to read as follows:

23 21 437.10 ENTRY OF CERTIFICATE.

23 22 At the first meeting of the board of supervisors held after  
23 23 said statements are received by the county auditor, ~~it the~~  
23 24 board shall cause such statement to be entered in its minute  
23 25 book and make and enter ~~therein in the minute book~~ an order  
23 26 stating the length of the lines and the assessed value of the  
23 27 property of each of ~~said the~~ companies situated in each  
23 28 township or lesser taxing district in each county outside  
23 29 cities, as fixed by the director of revenue, which shall  
23 30 constitute the taxable value of ~~said the~~ property for taxing  
23 31 purposes. The county auditor shall transmit a copy of ~~said~~  
23 32 the order to the trustees of each township and to the proper  
23 33 taxing boards in lesser taxing districts into which the line  
23 34 or lines of ~~said the~~ company extend in the county. The taxes

23 35 on ~~said the~~ property when collected by the county treasurer  
24 1 shall be disposed of as other taxes on real estate.  
24 2 Sec. 57. Section 438.15, Code Supplement 2003, is amended  
24 3 to read as follows:  
24 4 438.15 ASSESSED VALUE IN EACH TAXING DISTRICT == RECORD.  
24 5 At the first meeting of the board of supervisors held after  
24 6 said statement is received by the county auditor, ~~it the board~~  
24 7 shall cause the same to be entered on its minute book, and  
24 8 make and enter ~~therein in the minute book~~ an order describing  
24 9 and stating the assessed value of each pipeline lying in each  
24 10 city, township, or lesser taxing district in its county,  
24 11 through or into which ~~said the~~ pipeline extends, as fixed by  
24 12 the director of revenue, which shall constitute the assessed  
24 13 value of ~~said the~~ property for taxing purposes; and the taxes  
24 14 on ~~said the~~ property, when collected by the county treasurer,  
24 15 shall be disposed of as other taxes. The county auditor shall  
24 16 transmit a copy of ~~said the~~ order to the council of the city,  
24 17 or the trustees of the township, as the case may be.  
24 18 Sec. 58. Section 441.26, unnumbered paragraph 4, Code  
24 19 Supplement 2003, is amended to read as follows:  
24 20 The assessment rolls shall be used in listing the property  
24 21 and showing the values affixed to the property of all persons  
24 22 assessed. The rolls shall be made in duplicate. The  
24 23 duplicate roll shall be signed by the assessor, detached from  
24 24 the original and delivered to the person assessed if there has  
24 25 been an increase or decrease in the valuation of the property.  
24 26 If there has been no change in the ~~evaluation valuation~~, the  
24 27 information on the roll may be printed on computer stock paper  
24 28 and preserved as required by this chapter. If the person  
24 29 assessed requests in writing a copy of the roll, the copy  
24 30 shall be provided to the person. The pages of the assessor's  
24 31 assessment book shall contain columns ruled and headed for the  
24 32 information required by this chapter and that which the  
24 33 director of revenue deems essential in the equalization work  
24 34 of the director. The assessor shall return all assessment  
24 35 rolls and schedules to the county auditor, along with the  
25 1 completed assessment book, as provided in this chapter, and  
25 2 the county auditor shall carefully keep and preserve the  
25 3 rolls, schedules and book for a period of five years from the  
25 4 time of its filing in the county auditor's office.  
25 5 Sec. 59. Section 453A.3, subsection 1, paragraph c, Code  
25 6 2003, is amended by striking the paragraph.  
25 7 Sec. 60. Section 453A.8, subsection 3, unnumbered  
25 8 paragraph 1, Code 2003, is amended to read as follows:  
25 9 The department may make refunds on unused stamps to the  
25 10 person who purchased the stamps at a price equal to the amount  
25 11 paid for the stamps when proof satisfactory to the department  
25 12 is furnished that any stamps upon which a refund is requested  
25 13 were properly purchased from the department and paid for by  
25 14 the person requesting the refund. In making the refund, the  
25 15 department shall prepare a voucher showing the amount of  
25 16 refund due and to whom payable and shall authorize the  
25 17 department of administrative services to issue a warrant upon  
25 18 order of the director to pay the refund out of any funds in  
25 19 the state treasury not otherwise appropriated.  
25 20 Sec. 61. Section 455B.105, subsections 6 and 8, Code  
25 21 Supplement 2003, are amended to read as follows:  
25 22 6. Approve all contracts and agreements under this chapter  
25 23 and chapter 459, ~~subchapters I, II, III, IV, and VI~~, between  
25 24 the department and other public or private persons or  
25 25 agencies.  
25 26 8. Hold public hearings, except when the evidence to be  
25 27 received is confidential pursuant to this chapter, chapter 22,  
25 28 or chapter 459, ~~subchapters I, II, III, IV, and VI~~, necessary  
25 29 to carry out its powers and duties. The commission may issue  
25 30 subpoenas requiring the attendance of witnesses and the  
25 31 production of evidence pertinent to the hearings. A subpoena  
25 32 shall be issued and enforced in the same manner as provided in  
25 33 civil actions.  
25 34 Sec. 62. Section 455B.107, Code Supplement 2003, is  
25 35 amended to read as follows:  
26 1 455B.107 WARRANTS BY DIRECTOR OF DEPARTMENT OF  
26 2 ADMINISTRATIVE SERVICES.  
26 3 The director of the department of administrative services  
26 4 shall draw warrants on the treasurer of state for all  
26 5 disbursements authorized by the provisions of this chapter and  
26 6 chapter 459, ~~subchapters I, II, III, IV, and VI~~, upon itemized  
26 7 and verified vouchers bearing the approval of the director of  
26 8 the department of natural resources.  
26 9 Sec. 63. Section 455B.423, subsection 1, Code 2003, is  
26 10 amended to read as follows:

26 11 1. A hazardous substance remedial fund is created within  
26 12 the state treasury. Moneys received from fees, penalties,  
26 13 general revenue, federal funds, gifts, bequests, donations, or  
26 14 other moneys so designated shall be deposited in the state  
26 15 treasury to the credit of the fund. Any unexpended balance in  
26 16 the remedial fund at the end of each fiscal year shall be  
26 17 retained in the fund. ~~However, any unexpended balance shall~~  
~~26 18 be transferred to the general fund to replace funds~~  
~~26 19 appropriated from the general fund during fiscal year 1985 and~~  
~~26 20 fiscal year 1986 for the purposes for which expenditures from~~  
~~26 21 the remedial fund are allowed.~~

26 22 Sec. 64. Section 455E.11, subsection 2, paragraph e, Code  
26 23 Supplement 2003, is amended to read as follows:

26 24 e. An oil overcharge account. The oil overcharge moneys  
26 25 distributed by the United States department of energy, and  
26 26 approved for the energy related components of the groundwater  
26 27 protection strategy available through the energy conservation  
26 28 trust created in section 473.11, shall be deposited in the oil  
26 29 overcharge account as appropriated by the general assembly.  
26 30 ~~The oil overcharge account shall be used for the following~~  
~~26 31 purposes:~~

26 32 (1) ~~The following amounts are appropriated to the~~  
~~26 33 department of natural resources to implement its~~  
~~26 34 responsibilities pursuant to section 455E.8:~~

26 35 (a) ~~For the fiscal year beginning July 1, 1987 and ending~~  
~~27 1 June 30, 1988, eight hundred sixty thousand dollars is~~  
~~27 2 appropriated.~~

27 3 (b) ~~For the fiscal year beginning July 1, 1988 and ending~~  
~~27 4 June 30, 1989, six hundred fifty thousand dollars is~~  
~~27 5 appropriated.~~

27 6 (c) ~~For the fiscal year beginning July 1, 1989 and ending~~  
~~27 7 June 30, 1990, six hundred thousand dollars is appropriated.~~

27 8 (d) ~~For the fiscal year beginning July 1, 1990 and ending~~  
~~27 9 June 30, 1991, five hundred thousand dollars is appropriated.~~

27 10 (e) ~~For the fiscal year beginning July 1, 1991 and ending~~  
~~27 11 June 30, 1992, five hundred thousand dollars is appropriated.~~

27 12 (2) ~~For the fiscal year beginning July 1, 1987 and ending~~  
~~27 13 June 30, 1988, five hundred sixty thousand dollars is~~  
~~27 14 appropriated to the department of natural resources for~~  
~~27 15 assessing rural, private water supply quality.~~

27 16 (3) ~~For the fiscal period beginning July 1, 1987 and~~  
~~27 17 ending June 30, 1989, one hundred thousand dollars is~~  
~~27 18 appropriated annually to the department of natural resources~~  
~~27 19 for the administration of a groundwater monitoring program at~~  
~~27 20 sanitary landfills.~~

27 21 (4) ~~The following amounts are appropriated to the Iowa~~  
~~27 22 state water resources research institute to provide~~  
~~27 23 competitive grants to colleges, universities, and private~~  
~~27 24 institutions within the state for the development of research~~  
~~27 25 and education programs regarding alternative disposal methods~~  
~~27 26 and groundwater protection:~~

27 27 (a) ~~For the fiscal year beginning July 1, 1987 and ending~~  
~~27 28 June 30, 1988, one hundred twenty thousand dollars is~~  
~~27 29 appropriated.~~

27 30 (b) ~~For the fiscal year beginning July 1, 1988 and ending~~  
~~27 31 June 30, 1989, one hundred thousand dollars is appropriated.~~

27 32 (c) ~~For the fiscal year beginning July 1, 1989 and ending~~  
~~27 33 June 30, 1990, one hundred thousand dollars is appropriated.~~

27 34 (5) ~~The following amounts are appropriated to the~~  
~~27 35 department of natural resources to develop and implement~~  
~~28 1 demonstration projects for landfill alternatives to solid~~  
~~28 2 waste disposal, including recycling programs:~~

28 3 (a) ~~For the fiscal year beginning July 1, 1987 and ending~~  
~~28 4 June 30, 1988, seven hundred sixty thousand dollars is~~  
~~28 5 appropriated.~~

28 6 (b) ~~For the fiscal year beginning July 1, 1988 and ending~~  
~~28 7 June 30, 1989, eight hundred fifty thousand dollars is~~  
~~28 8 appropriated.~~

28 9 (6) ~~For the fiscal period beginning July 1, 1987 and~~  
~~28 10 ending June 30, 1988, eight hundred thousand dollars is~~  
~~28 11 appropriated to the Leopold center for sustainable~~  
~~28 12 agriculture.~~

28 13 (7) ~~Seven million five hundred thousand dollars is~~  
~~28 14 appropriated to the agriculture energy management fund created~~  
~~28 15 under chapter 161B for the fiscal period beginning July 1,~~  
~~28 16 1987 and ending June 30, 1992, to develop nonregulatory~~  
~~28 17 programs to implement integrated farm management of farm~~  
~~28 18 chemicals for environmental protection, energy conservation,~~  
~~28 19 and farm profitability; interactive public and farmer~~  
~~28 20 education; and applied studies on best management practices~~  
~~28 21 and best appropriate technology for chemical use efficiency~~

~~28 22 and reduction.~~

~~28 23 (8) The following amounts are appropriated to the  
28 24 department of natural resources to continue the Big Spring  
28 25 demonstration project in Clayton county.~~

~~28 26 (a) For the fiscal period beginning July 1, 1987 and  
28 27 ending June 30, 1990, seven hundred thousand dollars is  
28 28 appropriated annually.~~

~~28 29 (b) For the fiscal period beginning July 1, 1990 and  
28 30 ending June 30, 1992, five hundred thousand dollars is  
28 31 appropriated annually.~~

~~28 32 (9) For the fiscal period beginning July 1, 1987 and  
28 33 ending June 30, 1990, one hundred thousand dollars is  
28 34 appropriated annually to the department of agriculture and  
28 35 land stewardship to implement a targeted education program on  
29 1 best management practices and technologies for the mitigation  
29 2 of groundwater contamination from or closure of agricultural  
29 3 drainage wells, abandoned wells, and sinkholes.~~

29 4 Sec. 65. Section 455G.5, unnumbered paragraph 2, Code  
29 5 Supplement 2003, is amended to read as follows:

29 6 The board may enter into a contract or an agreement  
29 7 authorized under chapter 28E with a private agency or person,  
29 8 the department of natural resources, the Iowa finance  
29 9 authority, the department of administrative services, the

29 10 department of revenue, other departments, agencies, or  
29 11 governmental subdivisions of this state, another state, or the  
29 12 United States, in connection with its administration and

29 13 implementation of this chapter or chapter 424 or 455B.  
29 14 Sec. 66. Section 456A.16, unnumbered paragraph 7, Code  
29 15 Supplement 2003, is amended to read as follows:

29 16 The department shall adopt rules to implement this section.

29 17 However, before a checkoff pursuant to this section shall be  
29 18 permitted, all liabilities on the books of the department of  
29 19 revenue administrative services and accounts identified as  
29 20 owing under section ~~421.17~~ 8A.504 and the political  
29 21 contribution allowed under section 68A.601 shall be satisfied.

29 22 Sec. 67. Section 476.53, subsection 4, paragraph b, Code  
29 23 Supplement 2003, is amended to read as follows:

29 24 b. In determining the applicable ratemaking principles,  
29 25 the board shall not be limited to traditional ratemaking  
29 26 principles or traditional cost recovery mechanisms. Among the  
29 27 principles and mechanisms the board may consider, the board  
29 28 has the authority to approve ratemaking principles proposed by  
29 29 a rate-regulated public utility that provide for reasonable  
29 30 restrictions upon the ability of the public utility to seek a  
29 31 general increase in electric rates under section 476.6 for at  
29 32 least three years after the generation generating facility  
29 33 begins providing service to Iowa customers.

29 34 Sec. 68. Section 483A.24A, subsection 2, paragraph c, Code  
29 35 Supplement 2003, is amended to read as follows:

30 1 c. "Public institution" means a state institution listed  
30 2 under section 904.102, ~~subsections 1 through 10~~, that is  
30 3 administered by the department of corrections.

30 4 Sec. 69. Section 501.407, subsection 2, paragraph b, Code  
30 5 Supplement 2003, is amended to read as follows:

30 6 b. An intentional infliction of harm on the corporation  
30 7 cooperative or its shareholders members.

30 8 Sec. 70. Section 508.38, subsection 11, Code Supplement  
30 9 2003, is amended to read as follows:

30 10 11. After July 1, 2003, a company may elect either to  
30 11 apply the provisions of this section as it existed prior to  
30 12 July 1, 2003, or to apply the provisions of this section as  
30 13 ~~enacted~~ amended by 2003 Acts, ch 91, } 8==10, to annuity  
30 14 contracts on a contract form-by-form basis before ~~the second~~  
~~30 15 anniversary of the effective date of 2003 Acts, ch 91, } 8==10~~  
30 16 July 1, 2005. In all other instances, this section shall  
30 17 become operative with respect to annuity contracts issued by  
30 18 the company two years after July 1, 2003.

30 19 Sec. 71. Section 510.6, subsections 6 and 7, Code 2003,  
30 20 are amended to read as follows:

30 21 6. An insurer shall review its books and records each  
30 22 quarter and determine if any insurance producer, as defined by  
30 23 section 510A.2, has become, by operation of section 510.1B,  
30 24 subsection 4, a managing general agent as defined in that  
30 25 section. If the insurer determines that ~~a~~ an insurance  
30 26 producer has become a managing general agent by operation of  
30 27 section 510.1B, subsection 4, the insurer shall promptly  
30 28 notify the insurance producer and the commissioner of such  
30 29 determination and the insurer and insurance producer shall  
30 30 fully comply with the provisions of this chapter within thirty  
30 31 days.

30 32 7. An insurer shall not appoint to its board of directors

30 33 an officer, director, employee, insurance producer, or  
30 34 controlling shareholder of a managing general agent of the  
30 35 insurer. This subsection shall not apply to relationships  
31 1 governed by chapter 521A relating to the regulation of  
31 2 insurance company holding systems, or, if applicable, by  
31 3 chapter 510A relating to the regulation of insurance producer  
31 4 controlled property and casualty insurers.  
31 5 Sec. 72. Section 510A.4, subsection 1, paragraph b,  
31 6 subparagraph (2), Code Supplement 2003, is amended to read as  
31 7 follows:

31 8 (2) The controlled insurer, except for insurance business  
31 9 written through a residual market facility, accepts insurance  
31 10 business only from the controlling producer, ~~a~~ an insurance  
31 11 producer controlled by the controlled insurer, or an insurance  
31 12 producer that is a subsidiary of the controlled insurer.

31 13 Sec. 73. Section 514B.12, unnumbered paragraph 1, Code  
31 14 Supplement 2003, is amended to read as follows:

31 15 A health maintenance organization shall annually on or  
31 16 before the first day of March file with the commissioner or a  
31 17 depository designated by the commissioner a report verified by  
31 18 at least two of ~~its~~ the principal officers of the health  
31 19 maintenance organization and covering the preceding calendar

31 20 year. The report shall be on forms prescribed by the  
31 21 commissioner and shall include:

31 22 Sec. 74. Section 515F.32, subsection 3, Code Supplement  
31 23 2003, is amended to read as follows:

31 24 3. ~~"Plan"~~ "FAIR plan" means the ~~FAIR~~ plan to assure fair  
31 25 access to insurance requirements established pursuant to  
31 26 section 515F.33.

31 27 Sec. 75. Section 515F.36, subsection 1, Code Supplement  
31 28 2003, is amended to read as follows:

31 29 1. A governing committee shall administer the FAIR plan,  
31 30 subject to the supervision of the commissioner, ~~and~~. The FAIR  
31 31 plan shall be operated by a manager appointed by the

31 32 committee.

31 33 Sec. 76. Section 533C.103, subsection 4, Code Supplement  
31 34 2003, is amended to read as follows:

31 35 4. ~~The following entities whether chartered or organized~~  
32 1 under the laws of a state or of the United States: a bank,

32 2 bank holding company, savings and loan association, savings  
32 3 bank, credit union, office of an international banking  
32 4 corporation, branch of a foreign bank, corporation organized  
32 5 pursuant to the federal Bank Service Company Act, 12 U.S.C. }  
32 6 1861==1867, or corporation organized under the federal Edge  
32 7 Act, 12 U.S.C. } ~~611==633, under the laws of a state or the~~  
32 8 United States.

32 9 Sec. 77. Section 533C.201, subsection 1, Code Supplement  
32 10 2003, is amended to read as follows:

32 11 1. A person shall not engage in the business of money  
32 12 transmission or advertise, solicit, or hold itself out as  
32 13 providing money transmission unless the person:

32 14 a. Is licensed under this article; ~~or~~

32 15 b. Is an authorized delegate of a person licensed under  
32 16 this article.

32 17 Sec. 78. Section 533C.303, subsection 4, Code Supplement  
32 18 2003, is amended to read as follows:

32 19 4. An applicant ~~whose application~~ who is denied a license  
32 20 by the superintendent under this article may appeal, within  
32 21 thirty days after receipt of the notice of the denial, from  
32 22 the denial and request a hearing. The denial of a license  
32 23 shall not be deemed a contested case under chapter 17A.

32 24 Sec. 79. Section 533C.503, subsection 3, paragraphs e and  
32 25 f, Code Supplement 2003, are amended to read as follows:

32 26 e. A charge filed against or conviction of the licensee or  
32 27 of an executive officer, manager, or director of, or person in  
32 28 control of, the licensee for a felony.

32 29 f. A charge filed against or conviction of an authorized  
32 30 delegate for a felony.

32 31 Sec. 80. Section 533C.505, subsection 3, Code Supplement  
32 32 2003, is amended to read as follows:

32 33 3. Records may be maintained outside this state if they  
32 34 are made accessible ~~to~~ within seven business days of receipt  
32 35 of a written request from the superintendent on seven  
33 1 business-days' notice that is sent in a record.

33 2 Sec. 81. Section 533C.703, subsection 3, Code Supplement  
33 3 2003, is amended to read as follows:

33 4 3. ~~An~~ Once the superintendent has commenced an  
33 5 administrative proceeding pursuant to section 533C.701 or  
33 6 533C.702, an order to cease and desist remains effective and  
33 7 enforceable pending the completion of an administrative the  
33 8 proceeding pursuant to section 533C.701 or 533C.702.

33 9 Sec. 82. Section 562B.25, subsection 3, Code 2003, is  
33 10 amended to read as follows:

33 11 3. Except as otherwise provided in this chapter, the  
33 12 landlord may recover damages, obtain injunctive relief or  
33 13 recover possession of the mobile home space pursuant to an  
33 14 action in forcible entry and detainer under chapter 648 for  
33 15 any material noncompliance by the tenant with the rental  
33 16 agreement or with section 562B.18.

33 17 Sec. 83. Section 602.6305, subsection 1, Code Supplement  
33 18 2003, is amended to read as follows:

33 19 1. District associate judges shall serve initial terms and  
33 20 shall stand for retention in office within the judicial  
33 21 election districts of their residences at the judicial  
33 22 election ~~in 1982 and every six years thereafter~~, under  
33 23 sections ~~46.17 to 46.16~~ through 46.24.

33 24 Sec. 84. Section 602.8107, subsection 4, unnumbered  
33 25 paragraph 2, Code Supplement 2003, is amended to read as  
33 26 follows:

33 27 This subsection does not apply to amounts collected for  
33 28 victim restitution, the victim compensation fund, criminal  
33 29 penalty surcharge, law enforcement initiative surcharge,  
33 30 amounts collected as a result of procedures initiated under  
33 31 subsection 5 or under section 8A.504, or ~~sheriff's room and~~  
~~33 32 board fees charged pursuant to section 356.7.~~

33 33 Sec. 85. Section 631.4, subsection 2, paragraphs a and d,  
33 34 Code 2003, are amended to read as follows:

33 35 a. In an action for ~~the forcible entry or detention of~~  
~~34 1 real property and detainer under chapter 648~~, the clerk shall  
34 2 set a date, time and place for hearing, and shall cause  
34 3 service as provided in this subsection.

34 4 d. If personal service cannot be made upon each defendant  
34 5 in an action for forcible entry ~~or detention of real property~~  
34 6 and detainer joined with an action for rent or recovery  
34 7 pursuant to section 648.19, service may be made pursuant to  
34 8 paragraph "c".

34 9 Sec. 86. Section 631.5, unnumbered paragraph 1, Code  
34 10 Supplement 2003, is amended to read as follows:

34 11 This section applies to all small claims except actions for  
34 12 forcible entry ~~or detention of real property and detainer~~  
~~34 13 pursuant to chapter 648~~ and actions for abandonment of mobile  
34 14 homes or personal property pursuant to chapter 555B.

34 15 Sec. 87. Section 648.1, unnumbered paragraph 1, Code 2003,  
34 16 is amended to read as follows:

34 17 A summary remedy for forcible entry ~~or detention of real~~  
~~34 18 property and detainer~~ is allowable:

34 19 Sec. 88. Section 648.5, Code 2003, is amended to read as  
34 20 follows:

34 21 648.5 JURISDICTION == HEARING == PERSONAL SERVICE.

34 22 The court within the county shall have jurisdiction of  
34 23 actions for ~~the forcible entry or detention of real property~~  
34 24 and detainer. They shall be tried as equitable actions.

34 25 Unless commenced as a small claim, a petition shall be  
34 26 presented to a district court judge. Upon receipt of the  
34 27 petition, the court shall order a hearing which shall not be  
34 28 later than seven days from the date of the order. Personal  
34 29 service shall be made upon the defendant not less than three  
34 30 days prior to the hearing. In the event that personal service  
34 31 cannot be completed in time to give the defendant the minimum  
34 32 notice required by this section, the court may set a new  
34 33 hearing date. A default cannot be made upon a defendant  
34 34 unless the three days' notice has been given.

34 35 Sec. 89. Section 648.10, Code 2003, is amended to read as  
35 1 follows:

35 2 648.10 SERVICE BY PUBLICATION.

35 3 Notwithstanding the requirements of section 648.5, service  
35 4 may be made by publishing such notice for one week in a  
35 5 newspaper of general circulation published in the county where  
35 6 the petition is filed, provided the petitioner files with the  
35 7 court an affidavit stating that an attempt at personal service  
35 8 made by the sheriff was unsuccessful because the defendant is  
35 9 avoiding service by concealment or otherwise, and that a copy  
35 10 of the petition and notice of hearing has been mailed to the  
35 11 defendant at the defendant's last known address or that the  
35 12 defendant's last known address is not known to the petitioner.  
35 13 Service under this section is complete seven days after  
35 14 publication. The court shall set a new hearing date if  
35 15 necessary to allow the defendant the ~~five-day~~ three-day  
35 16 minimum notice required under section 648.5.

35 17 Sec. 90. Section 669.14, subsection 11, unnumbered  
35 18 paragraph 1, Code Supplement 2003, is amended to read as  
35 19 follows:

35 20 Any claim for financial loss based upon an act or omission  
35 21 in financial regulation, including but not limited to  
35 22 examinations, inspections, audits, or other financial  
35 23 oversight responsibilities, pursuant to chapter 486, Code  
35 24 1999, and chapters 87, 203, 203C, 203D, 421B, ~~486, 486A,~~ 487,  
35 25 and 490 through 553, excluding chapters 540A, 542, 542B, 543B,  
35 26 543C, 543D, 544A, and 544B.

35 27 Sec. 91. Section 805.8A, subsection 12, paragraphs b and  
35 28 c, Code Supplement 2003, are amended to read as follows:

35 29 b. For ~~height, weight, length, width, load violations, and~~  
35 30 ~~towed vehicle~~ violations under section 321.437, the scheduled  
35 31 fine is twenty-five dollars.

35 32 c. For height, length, width, and load violations under  
35 33 sections 321.454, 321.455, 321.456, 321.457, and 321.458, the  
35 34 scheduled fine is one hundred dollars.

35 35 Sec. 92. Section 901.4, Code Supplement 2003, is amended  
36 1 to read as follows:

36 2 901.4 PRESENTENCE INVESTIGATION REPORT CONFIDENTIAL ==  
36 3 DISTRIBUTION.

36 4 The presentence investigation report is confidential and  
36 5 the court shall provide safeguards to ensure its  
36 6 confidentiality, including but not limited to sealing the  
36 7 report, which may be opened only by further court order. At  
36 8 least three days prior to the date set for sentencing, the  
36 9 court shall serve all of the presentence investigation report  
36 10 upon the defendant's attorney and the attorney for the state,  
36 11 and the report shall remain confidential except upon court  
36 12 order. However, the court may conceal the identity of the  
36 13 person who provided confidential information. The report of a  
36 14 medical examination or psychological or psychiatric evaluation  
36 15 shall be made available to the attorney for the state and to  
36 16 the defendant upon request. The reports are part of the  
36 17 record but shall be sealed and opened only on order of the  
36 18 court. If the defendant is committed to the custody of the  
36 19 Iowa department of corrections and is not a class "A" felon, a  
36 20 copy of the presentence investigation report shall be  
36 21 forwarded to the director with the order of commitment by the  
36 22 clerk of the district court and to the board of parole at the  
36 23 time of commitment. Pursuant to section 904.602, the  
36 24 presentence investigation report may also be released by the  
36 25 department of corrections or a judicial district department of  
36 26 correctional services to another jurisdiction for the purpose  
36 27 of providing interstate probation and parole compact or  
36 28 interstate compact for adult offender supervision services or  
36 29 evaluations, or to a substance abuse or mental health services  
36 30 provider when referring a defendant for services. The  
36 31 defendant or the defendant's attorney may file with the  
36 32 presentence investigation report, a denial or refutation of  
36 33 the allegations, or both, contained in the report. The denial  
36 34 or refutation shall be included in the report. If the person  
36 35 is sentenced for an offense which requires registration under  
37 1 chapter 692A, the court shall release the report to the  
37 2 department which is responsible under section 692A.13A for  
37 3 performing the assessment of risk.

37 4 Sec. 93. Section 901.5, subsection 7A, paragraph d, Code  
37 5 Supplement 2003, is amended to read as follows:

37 6 d. Violation of a no-contact order issued under this  
37 7 ~~section subsection~~ is punishable by summary contempt  
37 8 proceedings. A hearing in a contempt proceeding brought  
37 9 pursuant to this subsection shall be held not less than five  
37 10 days and not more than fifteen days after the issuance of a  
37 11 rule to show cause, as set by the court, unless the defendant  
37 12 is already in custody at the time of the alleged violation in  
37 13 which case the hearing shall be held not less than five days  
37 14 and not more than forty-five days after the issuance of the  
37 15 rule to show cause.

37 16 Sec. 94. Section 904.117, Code Supplement 2003, is amended  
37 17 to read as follows:

37 18 904.117 INTERSTATE COMPACT FUND.

37 19 An interstate compact fund is established under the control  
37 20 of the department. All interstate compact fees collected by  
37 21 the department pursuant to section ~~907B.5~~ 907B.4 shall be  
37 22 deposited into the fund and the moneys shall be used by the  
37 23 department to offset the costs of complying with the  
37 24 interstate compact for adult offender supervision in chapter  
37 25 907B. Notwithstanding section 8.33, moneys remaining in the  
37 26 fund at the end of a fiscal year shall not revert to the  
37 27 general fund of the state. Notwithstanding section 12C.7,  
37 28 interest and earnings deposited in the fund shall be credited  
37 29 to the fund.

37 30 Sec. 95. Sections 335.31, 414.29, and 455B.151, Code 2003,

37 31 are repealed.

37 32 Sec. 96. 2003 Iowa Acts, chapter 180, section 24, enacting  
37 33 section 273.22, subsection 4A, is amended to read as follows:

37 34 4A. Not later than fifteen days after the state board  
37 35 notifies an area education agency of its approval of the area  
38 1 education agency's reorganization plan or dissolution  
38 2 proposal, the area education agency shall notify, by certified  
38 3 mail, the school districts located within the area education  
38 4 agency boundaries, the school districts and area education  
38 5 agencies that are contiguous to its boundaries, and any other  
38 6 school district under contract with the area education agency,  
38 7 of the state board's approval of the plan or proposal, and  
38 8 shall provide the department of education with a copy of any  
38 9 notice sent in accordance with this subsection. A petition to  
38 10 join an area education agency or for release from a contract  
38 11 with an area education agency, in accordance with subsections  
38 12 4, 6 5, and 7 6, shall be filed not later than forty-five days  
38 13 after the state board approves a reorganization plan or  
38 14 dissolution proposal in accordance with this chapter.

38 15 Sec. 97. 2003 Iowa Acts, chapter 180, section 28, amending  
38 16 section 273.23, subsection 11, Code 2003, is amended to read  
38 17 as follows:

38 18 11. Unless the reorganization of an area education agency  
38 19 takes effect less than two years before the taking of the next  
38 20 federal decennial census, a newly formed area education agency  
38 21 shall, within one year of the effective date of the  
38 22 reorganization, redraw the boundary lines of director  
38 23 districts in the area education agency if a petition filed by  
38 24 a school district to join the newly formed area education  
38 25 agency, or for release from the newly formed area education  
38 26 agency, in accordance with section 273.22, subsections 4, 5,  
38 27 and 6, and 7, was approved. Until the boundaries are redrawn,  
38 28 the boundaries for the newly formed area education agency  
38 29 shall be as provided in the reorganization plan approved by  
38 30 the state board in accordance with section 273.21.

38 31 Sec. 98. 2003 Iowa Acts, chapter 145, section 286,  
38 32 subsection 3, is amended by adding the following new  
38 33 paragraph:

38 34 NEW PARAGRAPH. c. Notwithstanding the provisions of this  
38 35 subsection to the contrary, section 12.8, Code 2003, is  
39 1 amended by striking from the section the words "division of  
39 2 the department of personnel".

39 3 Sec. 99. 2003 Iowa Acts, chapter 151, section 65, is  
39 4 amended to read as follows:

39 5 SEC. 65. RETENTION OF JUDGES. The amendments in this Act  
39 6 to section 46.16, subsections 2 and 3, and section 602.6305,  
39 7 subsection 1, apply to elections for retaining a judge  
39 8 occurring after the effective date of this Act.

39 9 Sec. 100. 2003 Iowa Acts, chapter 179, is amended by  
39 10 adding the following new section:

39 11 NEW SECTION. SEC. 47A. DELAYED EFFECTIVE DATE. Section  
39 12 31 of this division of this Act takes effect July 1, 2004.

39 13 Sec. 101. 2003 Iowa Acts, First Extraordinary Session,  
39 14 chapter 1, section 114, is amended to read as follows:

39 15 SEC. 114. The divisions of this Act designated the grow  
39 16 Iowa values board and fund, the value-added agricultural  
39 17 products and processes financial assistance program, the endow  
39 18 Iowa grants, ~~the technology transfer advisors,~~ the Iowa  
39 19 economic development loan and credit guarantee fund, the  
39 20 economic development assistance and data collection, the  
39 21 cultural and entertainment districts, ~~the workforce issues,~~  
39 22 and the university-based research utilization program, are  
39 23 repealed effective June 30, 2010.

39 24 Sec. 102. EFFECTIVE DATES AND APPLICABILITY.

39 25 1. The sections of this Act amending sections 273.22 and  
39 26 273.23, as enacted by 2003 Iowa Acts, chapter 180, sections 24  
39 27 and 28, being deemed of immediate importance, take effect upon  
39 28 enactment and apply retroactively to July 1, 2003.

39 29 2. The section of this Act amending 2003 Iowa Acts,  
39 30 chapter 145, section 286, being deemed of immediate  
39 31 importance, takes effect upon enactment and is retroactively  
39 32 applicable to July 1, 2003, and is applicable on and after  
39 33 that date.

39 34 3. The section of this Act amending 2003 Iowa Acts,  
39 35 chapter 151, section 65, being deemed of immediate importance,  
40 1 takes effect upon enactment.

40 2 4. The section of this Act adding a new section to 2003  
40 3 Iowa Acts, chapter 179, being deemed of immediate importance,  
40 4 takes effect upon enactment.

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CHRISTOPHER C. RANTS  
Speaker of the House

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JEFFREY M. LAMBERTI  
President of the Senate

I hereby certify that this bill originated in the House and  
is known as House File 2207, Eightieth General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

Approved \_\_\_\_\_, 2004

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THOMAS J. VILSACK  
Governor